

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket No. 99-499)**

In the Application of:)
Franzine Smith et al.)
Serial No.: 08/903,944)
Patent No.: 7,119,262) Examiner: David T. Fox
Filing Date: July 31, 1997) Group Art Unit: 1638
Issue Date: October 10, 2006) Confirmation No.: 3007
For: Production of Transgenic Poinsettia)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTIFICATION OF CHANGE OF STATUS FROM SMALL TO LARGE ENTITY AND PAYMENT OF ADDITIONAL FEES DUE

Sir or Madam:

On July 31, 1997 the above-referenced patent application was filed claiming small entity status, and small entity fees were paid throughout the prosecution of this application. In addition, the issue fee was paid on September 6, 2006 as small entity. Subsequent to filing of the application but before payment of the issue fee this application lost entitlement to small entity status. Accordingly, large entity fees should have been paid for the issue fee. The failure to do so was inadvertent and done without deceptive intent. Notice is hereby given under 37 C.F.R. § 1.27(g)(2) that small entity status is no longer claimed by the applicant.. Itemization and calculation of the deficiencies in payment in accordance with 37 C.F.R. 1.28(c)(2) is presented below:

Fee Type	Amount Paid	Date Paid	Current Fee	Difference
Issue Fee	\$700.00	09.06.06	\$1510.00	\$810.00
Total:	\$700.00		\$1510.00	\$810.00

CERTIFICATE OF TRANSMISSION (37 C.F.R. 1.8)

I hereby certify that this correspondence is being transmitted to the USPTO via the USPTO EFS on March 3, 2010.

Date: March 3, 2010

/Michael S. Greenfield/
Michael S. Greenfield

The Patent Office is hereby authorized to charge \$810.00 (the difference in fees) to our Deposit Account No. 13-2490.

If there are any questions or comments regarding this paper, the Patent Office is encouraged to contact the undersigned.

Respectfully submitted,

Date: March 3, 2010

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